

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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THE ESTATE OF ANTHONY MOURADIAN,  
By Melissa Mouradian, Special Administrator

Case No. 23-CV-0167

Plaintiffs,

v.

JACKSON COUNTY,  
DUANE M. WALDERA,  
SCOTT BOWE,  
LUCAS JOHNSON,  
LINDA KELLER,  
ASHLEY HAKES,  
PATRICIA JACOBSON,  
FOOTPRINTS IN TIME MIDWIFERY SERVICES, LLC,  
JOHN DOES 2-10, and  
ABC INSURANCE COMPANY

Defendants.

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**UNOPPOSED MOTION TO STAY DISCOVERY**

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NOW COME the Defendant Footprints in Time Midwifery Services, LLC (hereinafter referred to as "Footprints"), and the Defendant Patricia Jacobson (hereinafter referred to as "Jacobson")(collectively hereinafter referred to ask "Defendants"), pursuant to Federal Rule of Civil Procedure 26(d)(1), and ask that this Honorable Court grant a stay on all discovery in the above-captioned matter until such time as Defendants' Motion to Dismiss has been considered and ruled upon by the Court. In support thereof, Defendants state the following:

- 1) Defendants were served with notice of Plaintiff's First Amended Complaint on December 5, 2023.

- 2) On December 21, 2023, Defendants filed a motion to dismiss the First Amended Complaint in its entirety, as it pertains to Defendants, asserting the affirmative defense of the statute of limitations.
- 3) If successful, a motion to dismiss based on the statute of limitations operates as a complete bar to any future involvement in the case as a party by the successful defendant.
- 4) On January 3, 2024, Defendants were served with Plaintiff's First Set of Discovery Requests to Defendants.
- 5) Defendants, by their attorneys, reached out to opposing counsel (for Plaintiff), seeking a stay on having to respond to discovery and prepare for depositions in case the Court granted the motion to dismiss.
- 6) Opposing counsel (for Plaintiff), having considered the idea, would agree to the request for a stay, but only if the Court granted a complete stay of the case as it considers the motion to dismiss, as opposing counsel (for Plaintiff) has concerns that allowing only Defendants a stay could impact the prosecution of the case, expert reports, etc.
- 7) A stay on the discovery in the above-captioned matter will allow the parties and this Honorable Court to know with certainty whether there will be any further involvement for Defendants in the case as defendants, as opposed to third parties, and to determine if any changes to the existing scheduling order is necessary.
- 8) A stay on the discovery in the above-captioned matter will prevent Defendant from incurring the burden and expense of responding to discovery requests unnecessarily if, in fact, they are successful in the dispositive motion on file.

9) Attached to this Motion is a Stipulation, agreed to by attorneys for all parties, regarding the above. As such, this Motion is unopposed.

WHEREFORE, these moving Defendant respectfully ask that this Honorable Court, pursuant to Federal Rule of Civil Procedure 26(d)(1), grant a stay on all discovery in the above-captioned matter until such time as the Court can consider and rule upon Defendants' Motion to Dismiss.

Dated this 22<sup>nd</sup> day of January 2024.

CORNEILLE LAW GROUP, LLC

Electronically signed by: Jason F. Poje

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